

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

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SMARTMATIC USA CORP.,  
SMARTMATIC INTERNATIONAL  
HOLDING B.V., and SGO  
CORPORATION LIMITED,

Plaintiffs,

v.

MICHAEL J. LINDELL and MY  
PILLOW, INC.,

Defendants.

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Case No. 22-cv-0098-JMB-JFD

**DECLARATION OF TIMOTHY M. FREY IN SUPPORT OF SMARTMATIC'S  
MOTION FOR CONTEMPT**

I, Timothy M. Frey, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am over the age of 18, I am competent to make this declaration, and I have personal knowledge of the facts stated herein. These facts are true to the best of my knowledge, information, and belief, and if called upon to testify as a witness, I could and would testify competently to them.

2. I am an attorney at the law firm Benesch, Friedlander, Coplan & Aronoff, LLP, and I represent Plaintiffs Smartmatic USA Corp., Smartmatic International Holding B.V., and SGO Corporation Limited ("Smartmatic") in the above-captioned lawsuit.

3. Attached as Exhibit A is a true and correct copy of the transcript of the June 11, 2024 deposition of Michael J. Lindell in this litigation.

4. Attached as Exhibit B is a true and correct copy of an email exchange between Christopher Kachouroff and Julie Loftus dated July 29, 2024.

5. As of today, September 23, 2024, Smartmatic has not received Mike Lindell's personal tax returns for the years 2022 and 2023.

6. As of today, September 23, 2024, Smartmatic has not received the documents underlying Mike Lindell's personal tax returns for the years 2022 and 2023.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.



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Timothy M. Frey

Executed on September 23, 2024